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Patent

Attorney Docket No. 04742/017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Hubbard, et al.

Serial No.: 09/626,326

Filed: July 26, 2000

Group: 1653

For: TISSUE AUGMENTATION MATERIAL
AND METHOD

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Assistant Commissioner for Patents, Washington, D.C.
20231, on

FEBRUARY 13, 2001

Date

JORIE JOHNSON

Name

Jorie Johnson

Signature

Box DD
Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97

Dear Sir:

Applicants submit herewith PTO Form 1449 and copies of the disclosed references for consideration by the U.S. Patent and Trademark Office in connection with the above-identified application. An English translation of NL8304129 was not available to the Applicant. However, the European Patent Office considered the document to be technological background and not particularly relevant. Each item of information contained in the information disclosure statement was cited in a communication from the European Patent Office in the corresponding European Patent Application. This communication was received in our office on December 12, 2000. Since this information disclosure statement is being filed within the three months allowed under 37 C.F.R. §1.97(e)(1), no fee is thought to be due. If any fees are due, the Commissioner is hereby authorized

to charge any deficiency or credit any over payment to Deposit Account No. 06-1450 of Foley & Lardner. A duplicate copy of this sheet is enclosed.

It is believed that these references either taken alone or in combination do not disclose or suggest the invention claimed by the Applicants. However, it is the Applicants' desire to have these references available in the record for both the Examiner and the public to see. Applicants specifically reserve all rights of privilege and confidence with respect to this matter and submission of this document is not to be construed as a waiver of those rights. Moreover, submission of this document should not be considered an admission that the references cited herein are proper prior art to the aforementioned application.

Applicants respectfully request that the Examiner consider the listed documents, and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that listed documents are material or constitutes "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Foley & Lardner
One IBM Plaza
330 N. Wabash Avenue
Chicago, Illinois 60611-3608
(312) 755-2578
February 12, 2001

Respectfully submitted,



Michael D. Rechtin
Reg. No. 30,128